TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE Transcriber's Office

March 17, 1999 LB 407, 612

et cetera. Thank you.

SENATOR CROSBY: Thank you, Senator Beutler. Senator Kremer.

SENATOR KREMER: Thank you, Madam President. I'm not an attorney so I can't argue that point. I'd just like to back up Senator Baker a little bit in what he has said and how true it is. I think we have two issues here. One is how to avoid paying child support and the other is how to fairly determine what income is, which is in the calculation of how you determine child support. I, in no way, want to defend anybody that's trying to get out of paying child support, but we've heard many times talking about fairness and fairness they say is to not be able to count depreciation, which is a legitimate expense, especially in agriculture. If I was going to go out and buy new machinery every year for three or four years, you wouldn't have to worry about paying child support 'cause you'd probably be broke, so that isn't fair. It's a legitimate expense. It's something that if I was going to try to manipulate my income I could do it in many other ways other than buying new machinery, which would just be a portion of what I would spend on a new machine that I could count as depreciation. I would probably not sell some corn one year and sell it the next year. I could do a lot of things to transfer income or expenses from one year to the other. Why don't we, if we want to just manipulate the income factor, why can't we just say figure out what your income is and then double it in order to figure out what the child That's kind of basically what you're doing when you're...when you're saying that you cannot add in depreciation, which is a legitimate expense. So I would speak in opposition of the bracket and for the bill.

SENATOR CROSBY: Thank you, Senator Kremer. Senator Baker.

SENATOR BAKER: Thank you, Senator Crosby. It seems like we have a lot of sympathy for this bill until it comes to voting for it. Everybody says, yes, there's a problem here and I've been concerned over the years we haven't addressed it, and so on, et cetera, and everybody's leaning on LB 407, Senator Crosby, your bill. I'm all for your bill also, but there are amendments on it and it's a long ways from a done deal. And I appreciate Senator Bromm's offer to withdraw the bracket, but I